IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 26029 of 1999

Between:

APSRTC, rep. By its Managing Director, Musheerabad, Hyderabad.

..... PETITIONER

AND

1. State Transport Appellate Tribunal, A.P. Hyderabad rep. By its Presiding Officer,
2. Regional Transport Authority, East Godavari at Kakinada, rep. By its Secretary
3. N.V.V.Satyanarayana, s/o Govinda Rajulu, D.No. 23-7-9, Duggiralavari St., Kakinada, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, especially in the nature of a writ of certiorari, calling for the records relating to the impugned order dated 17-03-99 made in A.P.No.584/97, S.T.A.T.A.P., Hyderabad setting aside the order in R.No.1354/A1/97, dated 11-03-1997 of the R.T.A.E.G.at Kakinada and directing to issue of a town service permit to 3rd respondent on the so-called town service route, namely the modified route, Pithapuram Ambedkar Statue to Panduru Cheruvu Gattu, and quash the same as being illegal, without jurisdiction and invalid, and pass such other and further orders to meet the ends of justice.

Counsel for the Petitioner: MR. K. SRINIVAS RAO, Standing Counsel

Counsel for the Respondent Nos.1 and 2: G.P. for Transport

Counsel for the Respondent No.3: MR.E.MARUTHI RAJA, Advocate

The Court made the following :

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O R D E R:

In view of the order passed by this Court in 25570 of 1999 and 25578 of 1999, dated 02-01-2003, the impugned order is liable to be set aside and the matter should be remanded to the 1st respondent-State Transport Appellate Tribunal for fresh consideration.

Following the order passed in the above writ petitions, this Writ Petition is allowed directing the 1st respondent-Tribunal to give an opportunity to both the parties and dispose of the same in accordance with law and pass appropriate orders.

Accordingly, the Writ Petition is allowed. No costs.

Mjl/* 07.07.2004.

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this the Wednesday the 7th day of July, 2004.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Prisiding Officer, State Transport Appellate Tribunal, A.P. Hyderabad.

2. The Secretary, Regional Transport Authority, East Godavari at Kakinada.

3. 2 CD copies.